

REMARKS

Claims 2-9 and 11-18 are currently pending, wherein claims 1 and 10 have been canceled, claims 2-9, and 11-13 have been amended, and new claims 14-18 have been added. Applicant respectfully requests favorable reconsideration in view of the remarks presented herein below.

At the outset, Applicant notes with appreciation the indication that claims 11 and 12 contain allowable subject matter and would be allowed if rewritten in independent form. Applicant hereby amends claim 11 to be in independent form. Therefore, claim 11 is patentable over the cited art for at least those reasons presented in paragraphs 15 and 16 of the Action.

In paragraph 2 of the Action, the Examiner objects to claim 12 because it contains a typographical error. Applicant hereby amends claim 12 to correct the typographical error, thereby addressing the Examiner's concerns.

In paragraphs 3-7 of the Action, the Examiner rejects claims 1-13 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. More specifically, the Examiner asserts that the phrase "the mains" on line 5 of claim 1 lacks antecedent basis and is incomplete, and the phrase "the aperture angle" on line 6 of claim 5 lacks antecedent basis. Claim 1 has been canceled, rendering this rejection moot with regard thereto. In addition, Applicant hereby amends claim 5 to provide proper antecedent basis. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-13 under 35 U.S.C. 112, second paragraph.

In paragraphs 8-10 of the Action, the Examiner rejects claims 1-4, 7, 8, 10 and 13 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,107,941 to Jones

("Jones"). Claims 1 and 10 have been canceled, rendering this rejection moot with regard thereto. With regard to claims 2-4, 7, 8, and 13, Applicant respectfully traverses this rejection.

Claims 2-4, 7, 8 and 13 variously depend from independent claim 11. Therefore, claims 2-4, 7, 8 and 13 are patentable over Jones for at least those reasons presented above with respect to claim 11. Accordingly, Applicant respectfully request reconsideration and withdrawal of the rejection of claims 1-4, 7, 8, 10 and 13 under 35 U.S.C. §102(b).

In paragraphs 11 and 12 of the Action, the Examiner rejects claims 1, 2, 5, and 7-9 under 35 U.S.C. §102(b) as allegedly being unpatentable over U.S. Patent No. 6,031,468 to Tsao et al. ("Tsao"). Claim 1 has been canceled rendering this rejection moot with regard thereto. With regard to claims 2, 5, and 7-9, Applicant respectfully traverses this rejection.

Claims 2, 5, and 7-9 variously depend from independent claim 11. Therefore, claims 2, 5, and 7-9 are patentable over Tsao for at least those reasons presented above with respect to claim 11. Accordingly, Applicant respectfully request reconsideration and withdrawal of the rejection of claims 2, 5, and 7-9 under 35 U.S.C. §102(b).

In paragraphs 13 and 14 of the Action, the Examiner rejects claims 1, 2, 6, and 7 under 35 U.S.C. §102(b) as allegedly being unpatentable over U.S. Patent No. 3,786,245 to Cinotta et al. ("Cincotta"). Claim 1 has been canceled rendering this rejection moot with regard thereto. With regard to claims 2, 6, and 7, Applicant respectfully traverses this rejection.

Claims 2, 6, and 7 variously depend from independent claim 11. Therefore, claims 2, 6, and 7 are patentable over Cincotta for at least those reasons presented above with respect to claim 11. Accordingly, Applicant respectfully request reconsideration and withdrawal of the rejection of claims 2, 6, and 7 under 35 U.S.C. §102(b).

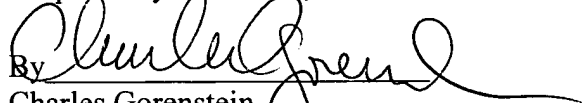
New claims 14-18 each define an apparatus for illuminating a sign that includes elements which are not disclosed or suggested by the cited art. For example, the cited art fails to disclose or suggest employing light sensors to control the illumination of the area surrounding the sign, attaching the unit to a frame surrounding the sign to be illuminated, an L-shaped unit, or an LED sheet which illuminates the sign as claimed. Accordingly, new claims 14-18 are patentable over the cited art.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle (Reg. No. 46,607) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: January 27, 2006

Respectfully submitted,

By 

Charles Gorenstein
Registration No.: 29,271

BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant